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IN THE UNITED STATES DISTRICT COURT

FOR THE EASTERN DIST

Case: 2:17-cv-12231

Judge: Murphy, Stephen J.

MJ: Patti, Anthony P.

Filed: 07-07-2017 At 03:04 PM

CMP LEE V PAUL, ET AL (BG)

Robert Edward Lee Pro'se
Roberts' Art Studio & Photography

Plaintiff

v.

Paul. AKA ; Sale Representative Defendant
For Corporate Store of Metro PCS

Metro PCS,
Office Headquarters Co- Defendant

Date: July 07, 2017

Paul AKA Sale representative
Robert Edward Lee
Metro PCS
Roberts' Art Studio & Photography
Office Headquarters
16500 Joy Road
2250 Lakeside Blvd.
Unit-28571
Richardson, Texas 75082 USA
Detroit Michigan
48228

NATURE OF SUIT IS PROPERTY RIGHTS INFRINGEMENT OF COPYRIGHTS

As Plaintiff, Robert E. Lee, in pro'se, and citizen of United States has a Complaint for a Civil Case. The

Basis for Jurisdiction is in this Honorable Federal court. With the limited power the United States

Constitution or federal laws or treaties is a **federal question** and case. **Under 28 U.S.C. 1332.**

Where a citizen, Robert E. Lee, in one State sues a citizen in same State but Headquarters are in another state. Paul, AKA., Employee, Sale Representative, in his full; and personal capacity, and Metro PCS, the

employer for vicarious liability in their Full capacity, and their Office Headquarters is in another State, and the amount at stake is more than \$300,00 each literature art photos, copy righted under the law, and any created nature work, and third party, and other users copier or sales, and possible making movies.

Count I

Liability for copyright infringement will not be excused even if the infringing acts were committed unintentionally or innocently. *Pinkham v. Sara Lee Corp.*, 983 F.2d 824, 829, 25 U.S.P.Q.2d (BNA) 1336 (8th Cir. 1992) Relevant or appropriate to what is being done or considered pertinent to the time, and appropriate to the current time.

First: two: climate - direct infringement (1) direct financial benefit (2) **third:** right and ability to supervise (3)

Plaintiff Lee, has an Assume name for Business his work is coming along slow through the years.

Collecting his arts and literature through Copy Rights, and his certificate as a license.

This form of disrespect is worse than evil axis leading to wars. Bullying employees if understanding what vicarious liability means for employers.

Vicarious liability refers to a situation where someone is held responsible for the actions or Omissions of another person. In a work place content, and employer can be liable for the acts or omissions of its employees provided it can be shown that they took place in the course of their employment.

Many employers are unaware that they can be liable for a range of actions committed by their employee in the course of their employment these can include bulling, and harassment disable or even or discriminatory acts or even libel and breach of copyright. It is possible to take action against an employer for his behavior of third parties are deemed to be under the control of the employer, that is a

personal capacity and can be sued. There is no known last for name at this time.

The amount in controversy --the amount plaintiff claims the defendant owes or the amount at stake is more than \$75000. Not counting interest and cost of court, because (explain): Each copyright art, or each liability for excused even if the infringing act were committed unintentionally or innocently.

Pinkham v. Sara Lee Corp., 983 F.2d 824, 829, 25 U.S.PQ.2d (BNA) 1336 (8th Cir. 1992) *Lipton v. Nature Co.*, 71.Fed 464, 475 37 USPQ 2d (BNA) 1012(2dCir.1995) See (Exhibits 14:7 1A)

Count II

Statements of Facts

MetroPCS Communications Inc. (NYSE PCS). The nation's leading provider of no annual and year ended December contract. Unlimited, flat rate wireless communications service today announced financial and operational result for the quarter 3, 01 2012. Metro reported record Adjusted EBITDA of over \$1.5 billion an increase of 14% over 2011 and ended 2012 with approximately 8.9 million subscribers.

After being agreed upon to receive a replacement cell phone a Samsung on5 model. I went to a corporate store on 21370 Grand River Avenue, Detroit, Michigan 48219 (734)444-0811 direct. I first complaint to FCC because of bad service in my home in communication using my cell phone I had not had it a year (exhibits)

I went into the store made myself known as the complaint in need of a new phone. When talking to or being waited on by (Paul AKa.,) Sale representative, I explained my reasons there and I have a lot of appointments over the phone and they are interfered with if shown him the reason of use . of my phone my talents, hobbies, business, and photos literature of art copyrights: HE SAID SOMETHI NG EXCITED TO ONE OF HIS OTHER COWORKERS, SAYING, "LOOK!, LOOK!, LOOK AT THIS ." They did not respond laughing as he looked as if he wanted them too! I came back with my cell phone I've had talk

to many customer service corporate offices from Texas, Illinois, and 1877-289-6727 number, once asking for one month service free, because of several lost calls and business appointments. Metro did grant me one month free service because of all my problems. Verizon Wireless while okaying me for a service, The Sales Representative explain to me about if I had a Google account it may be able to become back, and it did. "Thank God." That was part of my knowledge of being brought up a Jewish parent of appreciation.

Now that I'm appalled not like from a child or little girl that has been blogging about the family telling embarrassing stores. I'm appalled, from family, and society hating, and lying, and stealing, and helping others infringe on my rights, and to hold me back. (Singling me out by discriminating women.) That is a separate law suit that should be filed. I'm not a lunatic; and I've achieved, and accomplished a lifelong education of successful knowledge. My complaint against others are only getting what they deserve being talked about. They're stealing from me, and lying on me, and not hired me in 25 years. So Afro-American's, and their associates so don't try to impress someone now. They've been holding back money from me, and hating of me not to get any period!!! Boycotting, striking against, and discriminating. Being pamper and by using a 360 degree appraisal, "it is like 1 against a million" They need not to impress someone now I am a senior citizen.

On Webster>dictionary: illicit occasionally confused with elicit because of the similarity y in successfully their pronunciations but dated copy right infringement will not. Paul, Aka. Sales Representatives, out of his employers business to avoid helping me get me a copyright back, and it can now be distribute to Florida, Tennessee, Ohio, Texas, and Canada. I'm appalled! Metro PCS, increases daily. And can be Monetized" making Metro PCS, a potentially attractive acquisition for larger, more established firms

By contrast, the issue of vicarious liability for copyright increases daily and can be "monetized" make Napster, Inc. a potentially attractive acquisition for larger, more established firms. Napster Inc.'s value ---which is measured, at least in part, by the size of its user base---lies between 60 and 80 million dollars. Defendant obtained substantial capital infusions after the onset of this litigation. For

example, in May 2000, the venture firm Hummer Winblad purchased a twenty -percent ownership interest in the company for 13 million dollars; other investors simultaneously invested 1.5 million dollars.

Napster retains the right to control access to its system. *A&M Records, Inc. v. Napster, Inc.*, 239 F.3d 1004, 1023, 57 U.S.P. Q.2d (BNA) 1729 (9th Cir. 2001), as amended, (Apr. 3, 2001) Stating that "[t]o escape imposition of vicarious liability, the reserved right to police must be exercised to its fullest extent, *A&M Records, Inc., v. Napster, Inc.*, 239 f.3d 1004, 1023, 57 U.S.P. Q. 2d (BNA) 1729 (9th Cir. 2001), as amended, (Apr. 3, 2001) the analogized the Napster facts to *Fonovisa, Inc. v. Cherry Auction, Inc.*, where owner of premises and had for swap meets who profited by charging rent to others who trafficked in infringing materials was held vicariously liable where the owner could control access to premises and had knowledge of the trade in counterfeit records. The Ninth Circuit concluded that Napster's "ability to locate infringing material listed in its search indices, and the right to terminate users' access, and the right to terminate access, and to the system were sufficient for Napster to be vicariously liable for the infringements of its users.

Vicarious liability; Napster sole discretion with or without cause. A&M.

Vicarious liability refers to a situation where someone is held responsible for the actions or Omissions of another person. In a work place content, and employer can be liable for the acts or omissions of its employees provided it can be shown that they took place in the course of their employment.

Relief

The amount at stake is more than \$1,200.00 each for hired literature art, photos, copy righted under the law, and any created nature work, and third party, and other user's copier or sales, and not possible making of movies.

There is other emotions: Bipolar

Punitive damages

MetroPCS Communications Inc. (NYSE PCS). The nation's leading provider of no annual and year ended December contract. Unlimited, flat rate wireless communications service today announced financial and operational result for the quarter31 2012. Metro reported record Adjusted EBITDA of over \$1.5 billion and increase of 14% over 2011 and ended 2012 with approximately 8.9 million subscribers.

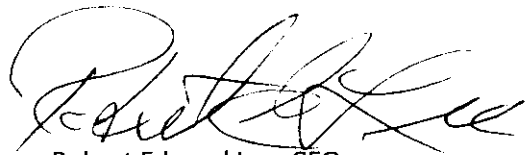
Proof of service; Mailed by certified in good faith, and noteries.

cc.rel

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
Layeffete Ave
Detroit, MI

Paul AKA Sale representative
Metro PCS
Defendant

Metro PCS Co-Defendant
Office Headquarters
2250 Lakeside Blvd.
Richardson, Texas 75082 USA

A handwritten signature in black ink, appearing to read 'Robert Lee', written in a cursive style.

Robert Edward Lee, CEO
Roberts' Art Studio & Photography
16500 Joy Road
P.O. Box 28571
9561 Plainview Ave
Detroit, Michigan 48228

From: Robert Lee <rleedt@aol.com>

To: consumercomplaints <consumercomplaints@fcc.gov>; rleedt <rleedt@aol.com>

Subject: RE: Request updated: Cell phone& internet blocking!!!

Date: Tue, 13 Jun 2017 9:23 am

Hello, to whom it may concern;

Mat 18, 2017, June 01, 2017. FCC. Ticket number 1652657

June 18, 2017. Address issue with them. Why do I have to pay and I am not getting any service.

Paul, Sales Representative; 21370 GrandRiver Avenue Det, MI 48219

234 444 0811 I don't want to call there anymore for grounds of intimidation. Outside fear tactics I have encounter.

My best belief there can be a resolution. Bringing my complete photo's, and Book files. I don't understand. Library of Congress, Washington DC a lawyer should be on this now. I've been infringed upon, and this is "nerve recking."

rleedt@aol.com

On Monday, June 12, 2017 Robert Lee <rleedt@aol.com> wrote:

Ms. Adrienne Allen,

Why do your company, Metro PCS steal?

Do you guys transfer all data and photo's, plus important file when exchanging phones or new ones.

My business hobby work, was infringed on. No one gives a dam.

Oh boy, wanted other's to see my stuff on my cell phone, why before I got to exchange the 2 phones but I did not get my stuff back. They got it alright that's how bad he (Paul) wanted his Co workers to see it.

Complaint FCC. May, June 3, 2017

I want to get a lawyer!!!

Signed,

Lee

I apologise them "I want them destroyed for this"

rleedt@aol.com

On Thursday, May 18, 2017 FCC <consumercomplaints@fcc.gov> wrote:

##- Please type your reply above this line -##

Hi Robert,

Your Ticket No. 1652657 was served on MetroPCS on May 18 for its review and response.

MetroPCS will likely contact you in an effort to resolve your issue.

A response is due to the FCC no later than 30 days from today. MetroPCS will respond to you directly by postal mail.

You can view a list of frequently asked questions at: <https://consumercomplaints.fcc.gov/hc/en-us/articles/205082880>.

We appreciate your submission and help in furthering the FCC's mission on behalf of consumers.

This email is a service from FCC Complaints. Delivered by Zendesk

PURSUANT TO LOCAL RULE 83.11

1. Is this a case that has been previously dismissed?

☐ Yes
☒ No

If yes, give the following information:

Court: _____

Case No.: _____

Judge: _____

2. Other than stated above, are there any pending or previously discontinued or dismissed companion cases in this or any other court, including state court? (Companion cases are matters in which it appears substantially similar evidence will be offered or the same or related parties are present and the cases arise out of the same transaction or occurrence.)

☐ Yes
☒ No

If yes, give the following information:

Court: _____

Case No.: _____

Judge: _____

Notes :

New LawsUIT Check List

Instructions: Put a check mark in the box next to each appropriate entry to be sure you have all the required documents.

<input checked="" type="checkbox"/>	Two (2) completed Civil Cover Sheets.	Case: 2:17-cv-12231 Judge: Murphy, Stephen J. MJ: Patti, Anthony P. Filed: 07-07-2017 At 03:04 PM CMP LEE V PAUL, ET AL (BG)
<input checked="" type="checkbox"/>	Enter the number of defendants named in your lawsuit in the blank below, add 2 and then enter the total in the blank. $\# \text{ of Defendants } 2 + 2 = 4 \text{ Total} \text{ Complaints.}$	
	Received by Clerk: <u>[Signature]</u> Addresses are complete: <u>[Signature]</u>	

<input type="checkbox"/>	If any of your defendants are government agencies : Provide two (2) extra copies of the complaint for the U.S. Attorney and the Attorney General.
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If Paying The Filing Fee:	If Asking That The Filing Fee Be Waived:
<input type="checkbox"/> Current new civil action filing fee is attached. Fees may be paid by check or money order made out to: Clerk, U.S. District Court Received by Clerk: _____ Receipt #: _____	<input checked="" type="checkbox"/> Two (2) completed Application to Proceed in District Court without Prepaying Fees or Costs forms. Received by Clerk: <u>[Signature]</u>

Select the Method of Service you will employ to notify your defendants:

Service via Summons by Self	Service by U.S. Marshal (Only available if fee is waived)	Service via Waiver of Summons (U.S. Government cannot be a defendant)
<input checked="" type="checkbox"/> Two (2) completed summonses for each defendant including each defendant's name and address. Received by Clerk: <u>[Signature]</u>	<input checked="" type="checkbox"/> Two (2) completed USM - 285 Forms per defendant, if you are requesting the U.S. Marshal conduct service of your complaint. <input checked="" type="checkbox"/> Two (2) completed Request for Service by U.S. Marshal form. Received by Clerk: <u>[Signature]</u>	<input type="checkbox"/> You need not submit any forms regarding the Waiver of Summons to the Clerk. <u>Once your case has been filed, or the Application to Proceed without Prepaying Fees and Costs has been granted, you will need:</u> <ul style="list-style-type: none"> • One (1) Notice of a Lawsuit and Request to Waive Service of a Summons form per defendant. • Two (2) Waiver of the Service of Summons forms per defendant. Send these forms along with your filed complaint and a self-addressed stamped envelope to each of your defendants.

Clerk's Office Use Only

Note any deficiencies here: